REMARKS

Favorable reconsideration and allowance of this application are requested.

The claims have been amended for the purpose of improved clarity and to conform the same to idiomatic expressions consistent with US patent practice.

The independent claims have been amended so as to further distinguish the same over the applied references of records. In this regard, independent claims 1, 13 and 14 have been amended so as to specify that the data transmission connections are established ***for transmitting data transmission packets***. The data can thus be transmitted by data transmission packets in a cellular radio system, which is used according to the invention and clearly specified in the independent claims.

Original claims 1-5, 7, 9, 13 and 14 attracted a rejection based on Ljungqvist et al (WO 98/52340) under 35 USC §102(a), while Puhl et al (USP 6,223,291) has been combined with Ljungqvist et al to reject claims 6, 8 and 11 under 35 USC §103(a). Giniger et al (WO 98/08314) and O'Brien, Jr. (USP 4,689,619) have been separately combined with Ljungqvist et al to reject each of claims 10 and 12, respectively. As will be discussed in greater detail below, the claims pending herein are believed to be patentably distinguishable over the applied references of record.

In this regard, applicant notes that the Ljungqvist publication illustrates a somewhat similar process as compared to the present invention. Patentable differences, however, clearly exist. In this regard, the Examiner will note that one principal difference between Ljungqvist and the present invention is that the solution presented by Ljungqvist is realised in a telecommunications network, such as a public switched telephone network (PSNT), whereas the solution of the present invention is realized in a cellular radio system. Despite the fact that a mobile telephone can be used in the solution disclosed by Ljungqvist, there are remarkable differences that exist with respect to the present invention.

Specifically, as a way of communication Ljungqvist only introduces a well-known ***calling*** function in a public switched telephone network stating e.g. in the independent claims: "calling the subscribers... by means of the control node directing a switching node of the telecommunication network to establish communication". Furthermore, as a consequence of such calling, there is established a ***communication line*** by means of the switching node, which communication line obviously refers to the communication line of a public switched telephone network.

On the contrary, the present invention realizes a questionnaire-based survey by utilizing an existing ***cellular radio system***, in which ***data transmission packets*** are utilized for transmitting data according to the invention. In so-called packet switching, transmission links are shared by a multiplicity of connections and no hard reservations are made, but packets are stored and forwarded; whereas in a common circuit-switched telephone network if no data is transmitted, the transmission resources are wasted because of the reservation of the whole connection line for a single connection (whether used or not). According to the present invention, therefore, a terminal device, to which the survey is targeted, is defined to be such that it can transmit and receive data transmission packets. Ljungqvist however only supposes terminals to be able to communicate in the used network. Although the use of a mobile device is mentioned in the publication of Ljungqvist, contrary to the present invention, the solution illustrated by Ljungqvist, being based on a public switched telephone network, does not utilize the cellular radio system, transmission of data by data transmission packets, nor the device's ability to receive or transmit data transmission packets, i.e. the operational environment utilized by Ljungqvist is quite technically different than that claimed by the present applican. As such, these technical differences further lead to totally different technical solutions.

The difference of technical solutions is perhaps most clearly evidenced by the established communication. Ljungqvist illustrates only a known telephone call type of communication, which is established for (continuous, on/off-type) interaction. During

the established interaction all predetermined data is presented to a subscriber, and afterwards the interaction is broken off (either fully completed or not). This means that the interaction is either on or off; so established i.e. active, or ended i.e. non-active. According to the present invention, however, data packets are transmitted through allocated data transmission connections, and individual identifiers are used for identifying and controlling the participation to the connection, which is not supposed to be a continuous, interactive connection. Instead, the central device is capable of passively waiting for communication requests and answering messages corresponding to the questionnaire.

Therefore, Ljungqvist et al does not anticipate the presently claimed invention. Nor does the combination of any secondary reference with Ljungqqvist et al render the present invention obvious.

In this regard, applicants note that Puhl introduces a few of the same technical elements involved in the present invention, namely WAP and SIM. These elements in Puhl are however used for a totally different purpose. Namely, in Puhl, a WAP-browser, SIM-card and WIM-module are provided for a WTLS-layer. Puhl uses these technical solutions for providing security (verification, certification) for an electronic commerce system. The WTLS-layer requires data included in SIM for performing identifying, verifying and certifying functions. The WAP is only used as a browser for the mentioned transactions. Although Puhl introduces these technical solutions and utilizes them in a transaction made in a wireless network, it is ***not*** obvious at all to use them for the purpose illustrated in the present application. Puhl concentrates on a secure electronic commerce on a wireless environment, while Ljungqvist aims at communication to a large number of subscribers of a telecommunication network in a short amount of time completely automated. Due to this fact of different objectives, these publications are not combinable even in the first instance. Furthermore, the applicant notes that the solution presented by Ljungqvist could not "obviously" be implemented in a cellular network. This is evidently perceivable from the fact that the SMS-system has already been in use

on the priority date of the publication of Ljungqvist (May 14, 1997), but still the SMS is in no way referred by Ljungqvist, but is totally absent from such publication.

The Giniger et al and O'Brien references are likewise deficient. In this regard, even though Giniger discloses generally apparatus and method for providing position-related information, its combination with Ljungqvist would not cure the deficiencies therein as discussed above. Similarly, the Ljungqvist deficiencies would not be overcome by the disclosure in O'Brien of terminals capable of subscriber polling.

In view of the amendments and remarks presented herewith, applicants suggest that this application is in condition for prompt allowance and Official Notice to that effect is solicited.

Respectfully submitted,

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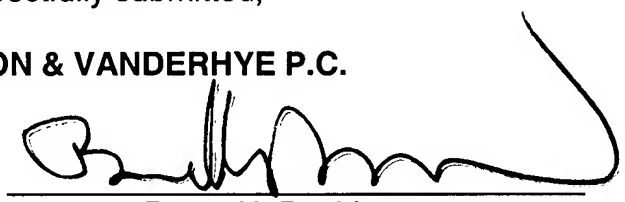
By: 

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